



49 Market Street
Morristown, NJ 07960-5122
Tel (973) 992-4800 Fax (973) 992-9125
www.foxrothschild.com

ROBERT J. ROHRBERGER
Direct No: 973.994.7543
Email: RRohrberger@FoxRothschild.com

October 13, 2021

VIA ECF

Honorable André Espinosa, U.S.M.J.
United States District Court - District of New Jersey
50 Walnut Street
Newark, NJ 07102

Re: NJDEP, *et al.* v. American Thermoplastics Corp., *et al.*
Docket No.: Civil Action No. 98-4781

Dear Judge Espinosa:

Pursuant to Your Honor's Text Order dated October 10, 2023, docket entry 1458, please accept this joint letter on behalf of Third-Party Plaintiffs, Compaction Systems Corporation (A New Jersey Corporation) and Compaction Systems of Connecticut, Inc. (collectively, "Compaction") and Third-Party Defendants Combustion Equipment Associates, Inc. and Carter Day Industries, Inc. (collectively "CDI"), relating to the status of the mediation before the Hon. Marianne Espinosa.

Representative of the parties, and of certain insurance carriers for the Carter Day parties, met with Judge Espinosa on September 12, 2023, for a full day. Subsequently, counsel have been having telephone communications with Judge Espinosa in an effort to resolve the matter. Those communications are ongoing at this time.

If Your Honor should have any additional questions, please do not hesitate to contact me.

Respectfully submitted,

/s/ Robert J. Rohrberger

Robert J. Rohrberger

Cc: All Counsel of Record (via ECF)

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota Nevada
New Jersey New York North Carolina Pennsylvania South Carolina Texas Virginia Washington